

Honorable Judge Benjamin Settle

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA**

CLYDE RAY SPENCER,

Plaintiff,

v.

JAMES M. PETERS, et al.,

Defendants.

No. C11-5424BHS

**PLAINTIFF'S PROPOSED VOIR
DIRE QUESTIONS**

Plaintiff Clyde Ray Spencer proposes the following questions to be asked to potential jurors on *voir dire*, in addition to the "Judges General Questions to Jury" on the Judge Benjamin H. Settle Chambers Procedures website (<http://www.wawd.uscourts.gov/judges/settle-procedures>):

1. Who here has ever been or known anyone who was falsely accused of doing something that they did not do?
 - a. What happened?
2. Is there anyone here who knows someone or has heard of someone being convicted of a crime that they did not commit?
3. How many people have ever heard about an innocent person being exonerated of a crime after they were convicted?
 - a. What happened?
4. Is there anyone here who believes that it is not possible for an innocent person to be convicted of a crime that they did not commit?
5. How many people believe that it is acceptable to convict innocent people?

- 1 6. Do you have strong feelings one way or the other that if a person is convicted of
2 a crime, they most likely committed the crime?
- 3 7. Do you believe that a person should be allowed to bring a civil lawsuit if they
4 believe that they were wrongly convicted?
- 5 8. Do you have any beliefs that would prevent you from being fair in a case where
6 a person claims that they were wrongly convicted of a crime?
- 7 9. Do you have any beliefs, no matter how small, that would prevent you from
8 awarding monetary damages in a case where a person alleges that they were
9 accused of a serious crime, sent to prison, and later prove that they were
10 innocent of that crime?
- 11 10. Does anyone know someone close to them who has spent substantial time in
12 prison?
- 13 11. What are your feelings toward law enforcement?
- 14 12. Have any of you, your family, or your friends ever worked as a law enforcement
15 officer or corrections officer?
- 16 13. Have any of you, your family, or your friends ever worked in another part of the
17 criminal justice system in any capacity?
- 18 14. What role do you believe that law enforcement officers play in the criminal
19 justice system?

20 RESPECTFULLY SUBMITTED this 17th day of December.

21 /s/ Kathleen T. Zellner
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DECLARATION OF SERVICE

I hereby certify that on December 17, 2013, I caused the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF System, which will send notification of such filing to the attorneys of record as follows:

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